

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: Kristian DiMatteo

Examiner in immediately preceding  
parent application: Jackson, G.

Serial No.: Unknown

Anticipated Group Art Unit: 371

Filed: July 9, 2003

For: THROMBUS FILTER WITH BREAK-AWAY ANCHOR MEMBERS

Docket No.: 1001.1309103

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR FILING A CONTINUATION APPLICATION  
UNDER 37 CFR §1.53(B)**

Dear Sir:

|   |
|---|
| <p><b>CERTIFICATE UNDER 37 C.F.R. 1.10:</b> The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee," having an Express Mail mailing label number of: EV315606789US, in an envelope addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this <u>9</u> day of <u>July</u>, 2003.</p> <p>By <u>JoAnn Lindman</u></p> |
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This is a request for filing a continuation application, under 37 CFR §1.53(b), of pending prior application Serial No. 09/804,319 filed on March 12, 2001, for an invention entitled THROMBUS FILTER WITH BREAK-AWAY ANCHOR MEMEMBERS.

1. Enclosed is a copy of the prior application, including the inventor's DECLARATION of Kristian DiMatteo, as originally filed on January 26, 2000.
2. I hereby verify that the enclosed papers are a true copy of prior application Serial No. 09/804,319 as filed on March 12, 2001, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

3. Cancel in this application original Claims 2-19 of the prior application before calculating the filing fee. At least one original independent claim has been retained for filing purposes.

4. The filing fee is calculated below:

| CLAIMS AS FILED                       |                     |                     |              |       |       |          |
|---------------------------------------|---------------------|---------------------|--------------|-------|-------|----------|
| FOR:                                  | (1)<br>No.<br>Filed | (2)<br>No.<br>Extra | SMALL ENTITY |       | OTHER |          |
|                                       |                     |                     | RATE         | FEE   | RATE  | FEE      |
| BASIC FEE                             | XXXXX               | XXXXX               | XXXXX        | \$375 | XXXXX | \$750    |
| TOTAL CLAIMS                          | 1-20=               | 0                   | X 9=         | \$    | X 18= | \$       |
| INDEPENDENT CLAIMS                    | 1- 3=               | 0                   | X 42=        | \$    | X 84= | \$       |
| () MULTIPLE DEPENDENT CLAIM PRESENTED |                     |                     | +140=        | \$    | +280= | \$       |
| TOTAL                                 |                     |                     |              | \$    | XXXXX | \$750.00 |

5. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 50-0413.

6. A check in the amount of \$ 750.00 is enclosed to cover the filing fee.

7. Amend the specification by inserting, immediately before "Field of the Invention" on page 1 thereof, the sentence --This is a continuation of copending U.S. Application Serial No. 09/804,319 filed on March 12, 2001, which in turn is a continuation of U.S. Application Serial No. 09/491,272 filed January 26, 2000, now U.S. Patent No. 6,217,600 issued April 17, 2001.--

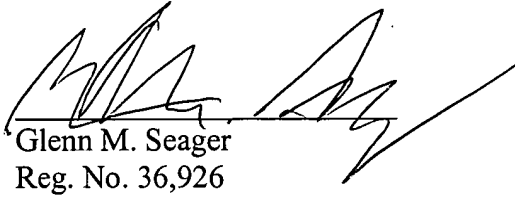
8. Please find enclosed nine (9) sheets of formal drawings.

9. The power of attorney in the prior application is to CROMPTON, SEAGER & TUFTE LLC. The power appears in the papers in the prior application file, and a copy is enclosed. Address all future communications to:

Glenn M. Seager  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue  
Suite 800  
Minneapolis, Minnesota 55403-2420

10. This patent application is assigned to SCIMED LIFE SYSTEMS, INC., pursuant to the Assignment recorded on January 26, 2000 at Reel 010586 Frame 0554.

July 9, 2003  
(Date)

  
Glenn M. Seager  
Reg. No. 36,926

CROMPTON, SEAGER & TUFTE, LLC  
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